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UNIÃO AFRICANA

Addis Ababa, ETHIOPIA P. O. Box 3243 Tel.: (251-1) 513 822 Fax : (251-1) 519 321
E-mail: oau-ews@telecom.net.et

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REPORT OF THE CHAIRPERSON OF THE COMMISSION
ON THE SITUATION IN DARFUR (THE SUDAN)

**REPORT OF THE CHAIRPERSON OF THE COMMISSION
ON THE SITUATION IN DARFUR (THE SUDAN)**

I. INTRODUCTION

1. The 10th meeting of the Peace Security Council (PSC), held on 25 May 2004, reviewed the developments in the Darfur region of the Sudan. On that occasion, Council, *inter alia*, reiterated its concern over the situation in Darfur and urged the Sudanese parties to fully and scrupulously implement the Humanitarian Ceasefire Agreement, which they signed on 8 April 2004.
2. The present report provides an update on the efforts deployed thus far to address the prevailing situation in Darfur.

II. OPERATIONALIZATION OF THE CEASEFIRE COMMISSION AND DEPLOYMENT OF THE AU OBSERVER MISSION

3. In its communiqué of 25 May 2004, the PSC requested the Commission to take all steps deemed necessary to ensure an effective monitoring of the Humanitarian Ceasefire Agreement of 8 April 2004, in particular, through the deployment of an Observer Mission, with the required civilian component and, if necessary, the protection element, to support the work of the Ceasefire Commission. In this respect, I should like to report that, from 27 to 28 May 2004, the Commission convened, in Addis Ababa, a meeting bringing together the Government of the Sudan (GoS), the Sudan Liberation Movement/Army (SLM/A) and the Justice and Equality Movement (JEM), as well as the Chadian Mediation and members of the international community involved in the process. The meeting culminated in the signing, by the Sudanese Parties, of an Agreement on the Modalities for the Establishment of the Ceasefire Commission (CFC) and the deployment of Observers in Darfur. The AU and Chad, as Mediator, also signed the Agreement. The AU partners involved in the process, namely the UN, the European Union and the USA, witnessed the signing.
4. As stipulated in the Agreement, the CFC is made up of the AU, as the Chair, the international community, as the Deputy Chair (which is represented by the EU, through France), the Chadian Mediation, the Government of the Sudan, the JEM and the SLM/A. The UN and the USA shall be invited to participate as Observers. It should be noted that the size of the CFC may be adjusted with the consent of the Parties as is necessary to carry out the objectives of the Agreement. The operational arm of the Ceasefire Commission is the African Union Monitoring Mission, composed of Observers from the Parties, the Chadian Mediation, AU Member States and other representatives of the international community.

5. The CFC reports to the Joint Commission, which consists of two senior members, each from the Parties, the Chadian Mediation, the African Union, the United States and the European Union. The Chairman of the Joint Commission is to be selected by the AU from an African Union Member State. Other international representatives from the UN and major contributors shall be invited to attend the meetings of the Joint Commission as observers. I am pleased to report that I have requested President Idriss Deby of Chad, as the Mediator, to provide the Joint Commission with a Chairman.

6. The CFC Headquarters is located in El-Fashir and is responsible for coordinating investigations, verifications, monitoring and reporting compliance, in accordance with the Humanitarian Ceasefire Agreement and the Implementation Modalities. There shall be sector sites established at other locations but not limited to Nyala, El Geneina, Kabkabiyah, Tine and Abeche (Tchad). Each Sector will be composed of two (2) Teams for verification and investigation, comprising the Parties, the African Union, and the international community.

7. Furthermore, the Agreement of 28 May 2004 states that, under the orders of the Chairman, members of the CFC can be deployed anywhere in Darfur to monitor and report on compliance with the provisions of the Ceasefire Agreement and, when necessary, investigate any alleged violations of the Agreement.

8. The AU Observer Mission will be composed of the 12 Members of the Ceasefire Commission, 132 Observers, of which 60 are from African Union Member States, 36 are from the Sudanese Parties, 18 are from the Chadian Mediation and the rest shall come from the international community (EU and USA: 18). The support staff, consisting of translators and interpreters, shall be made up of 24 people. Taking into account the volatile situation in some parts of Darfur and as a confidence building measure for the population of Darfur, the Agreement made provisions for a protection element.

9. On 2 June 2004, an AU advance mission composed of AU officials and 6 military observers from Ghana, Namibia, Nigeria and Senegal went to Sudan with the mandate to secure and establish the Headquarters of the Ceasefire Commission in El Fasher. During its visit in Khartoum, the advance Team negotiated and signed the Status of Mission Agreement (SOMA) with the Sudanese Government and took steps to operationalize the Liaison Office in Khartoum. On 9 June 2004, the first 6 military observers were deployed to the CFC Headquarters. Other military observers from Kenya, Mozambique and Nigeria were also deployed in El Fasher during the period.

10. On 9 June 2004, the Chairperson of the CFC, Brigadier General Okonkwo from Nigeria, reported for duty at the AU Commission, and subsequently, traveled to N'djamena and Khartoum, for consultations with the relevant authorities in the two capitals, respectively. Following these consultations, the Chairman of the CFC proceeded to El Fashir on 19 June 2004 and assumed his duties. The representatives of the parties and an acting representative of the EU, Deputy Chair, also arrived on 19 June 2004, thereby making the CFC fully operational on that day.

11. The current situation with respect to the deployment of the CFC and the Observers is as follows (at the time of finalizing the report):

a) CFC Headquarters

-	Chairman of the CFC (AU)	-	1
-	Vice Chairman (EU)	-	1
-	AU Representative	-	1
-	GoS Representative	-	2
-	SLM Representative	-	2
-	JEM Representative	-	2
-	Chadian Representative	-	<u>2</u>
	<u>Total</u>	=	11

b) MILOBS

i) Military Observers from African Union

-	Nigeria	-	09
-	Namibia	-	02
-	Ghana	-	01
-	Kenya	-	05
-	Mozambique	-	05

ii) Military Observer from Parties

-	SLM	-	01
-	JEM	-	01

iii) Military Observers from US

- 03

iv) Military Observers from EU

- 01

12. The Republic of Congo has communicated the names of the designated Military Observers (MILOBS) and steps are being taken by the Commission to facilitate their deployment. The lack of accommodation in El-Fashir, coupled with the time required to build camps, has had the effect of slowing down the deployment of MILOBS in Darfur.

13. I should also like to report that a Team of 3 Military Officers from Rwanda made a Reconnaissance Mission to Darfur to assess the feasibility of establishing the MILOBS Protection Element.

14. The budget of the AU Observer Mission in Darfur amounts to about 26 million dollars. Some AU partners have pledged to pay part of the budget in monetary terms, while others have pledged to contribute in kind. The EU has pledged 12 million Euros, while Germany has pledged 250,000 Euros; the UK has already provided 3,6 million

dollars and the USA is in the process of operationalizing the Headquarters and the sites for the various sectors. It is my sincere hope that AU Member States will also contribute to the funding of the AU Observer Mission in Darfur.

15. On 29 May 2004, the Commission received reports from the SLM and the JEM accusing the Government of the Sudan of bombarding villages in the Darfur region. The Commission forwarded these reports to the Government of the Sudan. There have also been other reports of violations of the Ceasefire Agreement by the Janjaweed militia made by the United Nations and its agencies and other international organizations concerned with the crisis in Darfur. The Government has also brought to the attention of the Commission reports of violations of the ceasefire by the JEM and the SLM.

IV. POLITICAL AND HUMANITARIAN ASPECTS

16. From 20 to 21 June, I visited Khartoum, areas within the Darfur region and Farsheina, in order to have first hand assessment of the situation on the ground. The purpose of the trip was also to encourage the Sudanese parties to respect the Ceasefire Agreement and to mobilise further the international community to provide the urgently needed assistance to the affected civilian population in Darfur and the refugees in neighbouring Chad. The Chairperson of the Peace and Security Council for the month of June 2004, Ambassador Mame Balla Sy of Senegal, accompanied me, together with Mr. Hamid El Gabid, Special Envoy for Darfur. The delegation also included representatives of UN Agencies, African NGOs, the African Commission for Human and People's Rights, as well as African and international media.

17. While in Khartoum, I held consultations with President Omar El Beshir. In my discussions, I stressed the need for a speedy solution to the crisis in Darfur. I also appealed to him for full cooperation to be extended to the AU Observer Mission, including the deployment of a protection force for the Mission.

18. From Khartoum, I proceeded to Darfur where I visited El Fasher, in northern Darfur, and El Geneina, in the west. In those areas, I was able to hold discussions on the current situation in the region with the local authorities and the international humanitarian agencies. I took the opportunity to visit some internally displaced persons (IDPs) camps in El Fasher and El Geneina, where thousands of families received shelter after fleeing their villages to escape the violence and abuse perpetrated by the Janjaweed militias and other acts of violence. In El Fasher, I held a meeting with the newly established AU Observer Mission, at the Headquarters of the Ceasefire Commission.

19. I wish to report that, while I was in the Sudan, President El Beshir issued a statement instructing local authorities to maintain security and stability by disarming all uncontrolled armed groups and outlaws and bringing them to justice. He further requested the local authorities to prevent such groups from crossing the border into Chad. He also instructed the judicial personnel in Darfur to set up courts and other

offices to take necessary measures in order to deal with the state of lawlessness. The statement also called for the deployment of police forces to protect settlements in the state of Darfur, as well as securing the return of the displaced persons .

20. I was also able to visit a refugee camp in Farsheina, in Chad, where near to 12,000 refugees are living. That visit allowed me to have first-hand information on the situation of refugees in that country.

21. In order to further contribute to the search for a lasting solution to the crisis in Darfur, I appointed Dr. Hamid El Gabid, former Prime Minister of the Republic of Niger, as my Special Envoy for Darfur, on 25 June 2004. After his nomination, Dr. El Gabid traveled to N'djamena, for consultations with the Chadian authorities on the best possible ways to resume the political dialogue between the Sudanese parties within the framework of the Agreement signed on 25 April 2004.

22. In this respect, it should be recalled that, in the Agreement, the Sudanese Parties agreed to convene, under the auspices of the Mediation and with the assistance of the international community, a general conference of all the representatives of Darfur to discuss the political, economic, and social situation in the region with a view to finding a global and definitive solution between the parties to the conflict. The Agreement also indicates that the Parties should establish a Joint Preparatory Commission for the Conference, whose tasks shall include the determination of items for the agenda, participation in the conference, as well as its date and venue.

23. The humanitarian crisis in the Darfur region is extremely serious. Unless immediate action is taken, the situation will further deteriorate with —far reaching implications. It is, therefore, incumbent on the Sudanese authorities to extend full cooperation to the international community, in particular the UN humanitarian agencies and the NGOs, to facilitate the provision of the much-needed assistance to the civilian population.

IX. OBSERVATIONS

24. I remain very concerned about the abuses of international humanitarian law and the continued human rights violations in Darfur. In this respect, I would like to appeal to the GoS to follow through with its stated commitment to ensure the protection of the civilian population and to disarm and neutralize the Janjaweed militia. I also would like to urge the Government of the Sudan and the two opposition movements to strictly comply with the Ceasefire Agreement and international humanitarian law.

25. I encourage the international community to provide the much-needed humanitarian assistance to the affected people of Darfur, as well as to the refugees in Chad. Further, I would like to urge the Sudanese Government to facilitate unimpeded access by all humanitarian agencies to the affected people.

26. The Commission will pursue its efforts to complete, as soon as possible, the deployment of the mission and to provide it with all the necessary support, including the protection element, to enable it fulfill its mandate. In this respect, I would also like to thank our partners for their continued support.

27. I encourage the parties to resume the political dialogue towards achieving a Comprehensive Agreement. In this respect, I wish to inform the PSC that, during the just concluded meeting of the Joint Commission in N'djamena, on 2 July 2004, the Parties agreed to the proposal to resume political dialogue on 15 July 2004, at the AU Headquarters.